

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

FREDRICO EMANUEL WOLFE,	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	CASE NO. 1:19-cv-00100-HSM-SKL
CITY OF CHATTANOOGA,	:	
OFFICER BENJAMIN PIAZZA,	:	
OFFICER AUSTIN SWAFFORD, and	:	
OFFICER TYLER PEROCCHI, or in the	:	
alternatives OFFICER JOHN DOE 1 and	:	
OFFICER JOHN DOE 2, In Their	:	
Individual and Official Capacities As	:	
Agents and Employees of the City	:	
of Chattanooga,	:	
	:	
Defendants.	:	

REPORT OF PARTIES'
PLANNING MEETING AND DISCOVERY PLAN

Pursuant to the Federal Rules of Civil Procedure 26(f) and this Court's Order (Doc. 14), the parties held a meeting on May 23, 2019, which was attended by Robin Ruben Flores for Plaintiff Fredrico Emanuel Wolfe, Phillip A. Noblett and Keith J. Reisman for Defendant City of Chattanooga and all individual defendants in their official capacities, Lance W. Pope for Defendant Benjamin Piazza, in his individual capacity, Stevie Phillips Persinger for Defendant Austin Swafford, in his individual capacity, and Janie Parks Varnell for Defendant Tyler Perocchi, in his individual capacity. These parties jointly propose to the Court the following discovery plan:

1. The initial disclosures required by Rule 26(a)(1) will be exchanged by June 6, 2019.
2. The parties at this time anticipate discovery will be needed generally on the subjects of liability and damages. The incident from which this lawsuit arose is under criminal investigation relating to Defendant Piazza. Defendants contend that all

discovery, except the Initial Disclosures and the production of documentary evidence, should be stayed until the criminal matter has been resolved.

3. The parties do not anticipate any disputed issues about disclosure or discovery of electronically stored information, including the form or forms in which it should be produced.
4. It is anticipated that one or more parties will assert that some information may be privileged and/or confidential; however, the parties do not anticipate any irresolvable issues regarding claims of privilege and/or confidentiality. Should the parties agree on a procedure to assert claims of privilege or protection during discovery, the Court will be asked to include the parties' agreement in an order. If the parties cannot agree on a procedure to assert claims of privilege and/or protection during discovery, they will request the Court to resolve any dispute related to privilege and/or protection.
5. The parties do not anticipate that any changes will be needed to the limitations on discovery imposed under the *Federal Rules of Civil Procedure* or by the local rules.
6. Each deposition is limited to a maximum of seven (7) hours unless extended by agreement of the parties.
7. The parties do not anticipate that there will be a need for any orders under Rule 26(c) or under Rule 16(b) and (c) other than the Court's Scheduling Order unless there is some inadvertent disclosure of privileged or trial preparation materials.
8. The parties believe that prospect for settlement is unknown.
9. The parties anticipate the length of trial to be 4 days.

Dated this 23rd day of May, 2019.

Respectfully submitted,

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*Signed with express permission by Keith J. Reisman